

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAWN MARIE LEDERER,

Plaintiff,

Case No. 20-cv-158-pp

v.

ANDREW M. SAUL,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MOTION FOR LEAVE
TO PROCEED WITHOUT PREPAYING THE FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 3.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

The plaintiff's affidavit is somewhat confusing, and the court will require her to file an amended request to clear up the court's questions. The plaintiff states that she has no monthly wages or salary, but she lists Payne and Dolan as her employer. Dkt. No. 3 at 2. The court asks that the plaintiff indicate whether she is or is not employed by Payne and Dolan—and if she is, indicate how much is she being paid. In addition, the plaintiff indicates that her

spouse's monthly wages or salary ranges from \$2,800 to \$8,000 per month. Id. The court would like the plaintiff to clarify this very wide range—is her spouse's income based entirely on commissions, is there some other reason for the fluctuation in the monthly amount? Third, the plaintiff lists a range of \$1,082 to \$1,805 per month in her mortgage payment and a range of \$2,600 to \$3,800 per month in other household expenses. Id. at 3. The court asks the plaintiff to explain how/why her mortgage payment differs from month to month, and to itemize with more particularity the other household expenses included in the monthly amount she lists. The plaintiff is represented by counsel who should assist her in amending her request.

The court **ORDERS** that the plaintiff shall file an amended Non-Prisoner Request to Proceed in the District Court Without Prepaying the Filing Fee by the end of the day on **February 25, 2020**. If the plaintiff does not provide a new request in time for the court to receive it by the deadline, the court will deny her request to proceed without prepaying the filing fee and require her to pay the full \$400 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 4th day of February, 2020.

BY THE COURT:


HON. PAMELA PEPPER
Chief United States District Judge